

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JAY L. JIM,

Plaintiff,

v.

AITOR NARVAIZA, et al.,

Defendants.

Case No.: 3:24-cv-00416-ART-CLB

ORDER

On September 16, 2024, pro se plaintiff Jay Jim, an inmate at Elko County Jail, submitted a complaint under 42 U.S.C. § 1983 and applied to proceed in *forma pauperis* (“IFP”). (ECF Nos. 1-1, 1). Plaintiff’s IFP application is incomplete because he failed to include an inmate trust fund account statement for the previous six-month period with it. Even if Plaintiff has not been at Elko County Jail for a full six-month period, he must still submit both a completed financial certificate and an inmate account statement for the dates that he has been at the facility.

This Court must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). As of December 1, 2023, the fee for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55 administrative fee. See 28 U.S.C. § 1914(b). “Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*.” Nev. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of the Court’s approved form, that is properly signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of the Court’s approved form, that is properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate’s prison or jail trust fund account statement for the previous six-month**

1 **period.** See 28 U.S.C. § 1915(a)(1)–(2); Nev. LSR 1-2. *In forma pauperis* status does not
2 relieve an inmate of his or her obligation to pay the filing fee, it just means that the inmate
3 can pay the fee in installments. See 28 U.S.C. § 1915(b).

4 It is therefore ordered that Plaintiff has **until November 29, 2024**, to either pay the
5 full \$405 filing fee or file a copy of the inmate's trust fund account statement for the
6 previous six-month period.

7 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if
8 he fails to timely comply with this order. A dismissal without prejudice allows Plaintiff to
9 refile the case with the Court, under a new case number, when he can file a complete
10 application to proceed *in forma pauperis* or pay the required filing fee.

11 The Clerk of the Court is directed to send Plaintiff Jay Jim the approved form
12 application to proceed *in forma pauperis* for an inmate and instructions for the same, and
13 to retain the complaint (ECF No. 1-1) but not file it at this time.

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15 DATED THIS 30TH day of SEPTEMBER 2024.

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18 UNITED STATES MAGISTRATE JUDGE
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